

2025:PHHC:102163



CRM-M-27392-2025 (O & M)

::1::

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH  
(222)

CRM-M-27392-2025 (O & M)  
Date of decision: 07.08.2025

Sajan Singh @ Saji ..... Petitioner

V/s

State of Punjab ...Respondent

**CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI**

Present: Mr. Abhaysher Singh, Advocate, for the petitioner.

Mr. Harkanwar Jeet Singh, AAG, Punjab.

\*\*\*\*\*

**JASJIT SINGH BEDI, J. (Oral)**

The prayer in this petition under Section 483 of the BNSS, 2023 is for the grant of the regular bail to the petitioner in case FIR No.13 dated 19.03.2023 under Sections 379-b/323/34 IPC and Sections 25/27/54/59 of the Arms Act, 1959 registered at Police Station Khui Khera, District Fazilka, Punjab.

2. The present FIR came to be registered at the instance of Subhash Chander and reads as under:-

*Statement of Subhash Chander son of Sh. Krishan Lal son of Jaimal Ram resident of Village Lakhe Wali Dhab, M. No. 9530715318. Stated that I am resident of afore said address and along with labour work, also deals in the business of Tractors. I sold one tractor bearing No. PB-13-E-2680 Model No. 1196 Mark Eisher NC 241 dated 08.03.2023 to one Ram Chander son of Gopi Ram resident of Chuhri Wala Dhanna for an*

CRM-M-27392-2025 (O & M)

2025:PHHC:102163



::2::

*amount of Rs.1,09,000/-, who gave me Rs.10,000/- and remaining Rs.50,000/- was to be given on 12.03.2023 and remaining amount to be given on 14.03.2023 and on saying this, he took the tractor with himself. On which, on 12.03.2023 at about 1.20 PM, I was coming on my motorcycle after taking Rs.50,000/- from Ram Chander aforesaid. When I was about two kilometres behind my village, then three unidentified persons with muffled faces and who were riding on the motorcycle, who after seeing here and there suddenly stopped their motorcycle in front of my motorcycle and I stopped my motorcycle in order to save myself then two unknown persons alighted from the motorcycle and came towards me and said to me that whatever you have, give it to us and started fighting with me and one person took out fire arm weapon and fired a shot in the air to scare me and when I tried to take fire arm from him then the other unknown person sitting on the motorcycle alighted from the motorcycle and took Kappa from the bag of the motorcycle and came towards me and gave a blow on my left leg and one person amongst them took out Rs.50,000/- from my shirt pocket, one purse, in which, there were Rs.3000/- along with important documents Aadhar Card, PAN Card, Driving License, RC Number PB-22-W-1537 and ATM Card after putting me under fear of fire arm weapon and giving me slaps and fled away after riding on the motorcycle and firing a shot in the air. Then after sometime, my neighbourer Radhey Shyam son of Krishan Lal, who had gone to city regarding some work also came there, who on seeing me stopped and on seeing my condition arranged a vehicle and got me admitted at Civil Hospital, Fazilka, where doctors treated upon me. We have been searching on our own for aforesaid unknown persons about whom, I could not find any clue. Today*

2025:PHHC:102163



CRM-M-27392-2025 (O & M)

**::3::**

*I along with respectable persons Sh. Prahlad Rai son of Indraj resident of Lakhe Wali Dhab has come present at Police Station and got recorded my statement, which has been heard and is correct. I am aggrieved. Action should be taken against unknown persons*

3. The learned counsel for the petitioner contends that the petitioner has been falsely implicated in the present case. Be that as it may, the complainant-Subhash Chander was examined as PW-2 and has not supported the prosecution version. As the petitioner is in custody since 31.07.2023 but only 06 of the 14 prosecution witnesses have been examined so far, the Trial of the present case is not likely to be concluded anytime soon and therefore, he is entitled to the concession of bail, even though, he is an accused in five other cases.

4. The learned counsel for the State, on the other hand, contends that the offence against the petitioner stands established beyond reasonable doubt. He has criminal antecedents being an accused in five other cases, some of which are of similar nature. Therefore, he is not entitled to the concession of bail. However, it is conceded that the complainant-Subhash Chander (PW-2) has not supported the case of the prosecution, that the petitioner is in custody since 31.07.2023 but only 06 of the 14 prosecution witnesses have been examined so far.

5. I have heard the learned counsel for the parties.

6. The veracity of the prosecution case against the petitioner and his co-accused shall be adjudicated during the course of the Trial.

2025:PHHC:102163



CRM-M-27392-2025 (O & M)

::4::

Admittedly, the petitioner is in custody since 31.07.2023 but only 06 of the 14 prosecution witnesses have been examined so far. Therefore, the Trial in the present case is not likely to be concluded anytime soon. In this situation, the further incarceration of the petitioner is not required.

7. Thus, without commenting upon the merits of the case, the present petition is allowed and the petitioner, namely, Sajan Singh @ Saji is ordered to be released on bail to the satisfaction of the Trial Court/Duty Magistrate concerned.

8. The petitioner shall appear before the police station concerned on the first Monday of every month till the conclusion of the trial and inform in writing each time that he is not involved in any other case except the cases mentioned in Para 6 of the petition.

9. In addition, the petitioner (or anyone on his behalf) shall prepare an FDR in the sum of Rs.2,00,000/- and deposit the same with the Trial Court. The same would be liable to be forfeited as per law in case of the absence of the petitioner from Trial without sufficient cause.

10. The present petition stands disposed of.

11. The pending application(s), if any, shall stand disposed of accordingly.

August 07, 2025  
sukhpreet

( JASJIT SINGH BEDI)  
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No